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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 DEBRA EDISON,

15 Defendant.
16 _____

)
) No. CR 07-0074 WHA

)
) STIPULATION AND [PROPOSED]
) ORDER EXCLUDING TIME FROM THE
) SPEEDY TRIAL ACT CALCULATION
) UNDER 18 U.S.C. § 3161(h)(8)(A) and (B).

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18 The above-captioned matter came before the court on March 26, 2008. A pretrial
19 motions briefing schedule was set, with Ms. Edison's motions due to be filed on April 22, 2008.
20 The Court made a finding that the time from and including March 26, 2008, through and
21 including April 22, 2008 should be excluded under the Speedy Trial Act, 18 U.S.C.
22 § 3161(h)(8)(A), because the ends of justice served by taking such action outweighed the interest
23 of the public and the defendant in a speedy trial. The finding was based on the need for the
24 defendant to have reasonable time necessary for effective preparation and continuity of counsel
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STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME
CR 07-0074 WHA

1 pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv). Additionally, the Court made a finding that time from
2 and including March 26, 2008 through and including the October 27, 2008 trial date set in this
3 matter was properly excluded as to Ms. Edison's co-defendant, Michael Edison, based on the
4 need for Mr. Edison to have reasonable time necessary for effective preparation and for
5 continuity of counsel pursuant to 18 U.S.C. 18 U.S.C. § 3161(h)(8)(B)(iv).
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7 Ms. Edison filed a motion to suppress evidence on April 22, 2008 pursuant to the motion
8 schedule set by the Court. Ms. Edison withdrew the above-referenced motion on April 28, 2008
9 after receipt of additional discovery regarding the issues underlying the motion.

10 In light of Ms. Edison's withdrawal of her motion to suppress, the parties hereby agree to
11 and request that the case be continued until October 27, 2008 and that the time from and
12 including April 22, 2008 and October 27, 2008 be excluded under the Speedy Trial Act. The
13 parties agree and stipulate that the additional time is appropriate and necessary under Title 18,
14 United States Code, 18 U.S.C. § 3161(h)(A) because the ends of justice served by the
15 continuance outweigh the best interest of the public and the defendant in a speedy trial. This
16 time exclusion will allow defense counsel to effectively prepare, taking into account the exercise
17 of due diligence, and will provide for continuity of counsel for the defendant. Further, the parties
18 agree and stipulate that the time excluded as to co-defendant Michael Edison is properly
19 excluded as to Debra Edison pursuant to 18 U.S.C. § 3161(h)(7).
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1 IT IS SO STIPULATED.

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4 DATED: April 30, 2008

_____/s/____

JEFFREY R. FINIGAN

Assistant United States Attorney

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7 DATED: April 30, 2008

_____/s/____

ERIC MATTHEW HAIRSTON

Assistant Federal Public Defender

Attorney for Defendant

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IT IS SO ORDERED.

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14 DATED: _____

THE HON. WILLIAM H. ALSUP

UNITED STATES DISTRICT COURT JUDGE

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